IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3663 OF 2004

Kamlesh RamAasre Saroj .. Applicant.
Vs.
State of Maharashtra .. Respondent.

Ms.A.A.Walawalkar for the applicant.
Mr.B.H.Mehata APP for the respondent.

CORAM : D.B.BHOSALE, J.

DATED : 31ST AUGUST, 2004

P.C.:

. Heard Ms.Walawalkar, learned counsel for the applicant and Mr.Mehata, learned A.P.P. for the respondent.

2. The applicant has approached this court for being released on bail in C.R.No.I-21/2004 registered at Vani police station mainly under section 302 of Indian Penal Code.

3. It is the prosecution case that on 7.3.2004 all the accused committed murder of one Premsingh Sundersingh. In so far as the applicant is concerned, according to all the eye witnesses, he allegedly assaulted the deceased with fist and kick blows. In view thereof Ms.Walawalkar, learned counsel for the applicant, prayed for bail on parity with the accused, who were granted bail by this court vide order dated 24.8.2004 passed in

Criminal Application No.3317 of 2004. According to Ms.Walawalkar the role allegedly attributed to the applicant and allegedly played by the accused in Criminal Application No.3317 of 2004 is similar. Mr.Mehata, learned A.P.P. did not controvert the statement made by Ms.Walawalkar. I have perused the order dated 24.8.2004 and other material placed before me. In my opinion, the applicant is entitled for bail on parity with the accused, who were granted bail by the order dated 24.8.2004. In the circumstances I am passing the following order:

. The applicant is directed to be enlarged on bail on his furnishing a personal bond of Rs.5,000/- with two local sureties of the like amount to the satisfaction of the trial Court, subject to the condition that he shall report the concerned police station on every Wednesday and Saturday between 6 pm and 7 pm for a period of three months and thereafter on every alternate Saturday between 6 pm and 7 pm till the conclusion of the trial.

. The application is disposed of.

. While passing this order, I shall not be understood to have expressed any opinion on merits of the case. The trial court shall decide the case uninfluenced by the observations made in this order.

(D.B.Bhosale, J.)